Jeffrey L. Smoot, WSBA #39335 Highpoint Law Group PLLC 5400 California Avenue SW, Suite D Seattle, WA 98136 (206) 999-8375 The Honorable Marc L. Barreca Chapter 7

# UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF WASHINGTON, SEATTLE DIVISION

In re:

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KENNETH R. LORENZ; and KAREN A. LORENZ

No. 14-12159-MLB

EX PARTE DEBTORS' SECOND MOTION FOR ORDER EXTENDING TIME TO FILE SCHEDULES AND STATEMENT OF FINANCIAL AFFAIRS

Debtors.

Kenneth R. Lorenz and Karen A. Lorenz ("Debtors"), the Debtors in the above-captioned chapter 7 case, moves the Court pursuant to 11 U.S.C. § 521(i)(3) and Fed. R. Bankr. P. 1007(a) (5) for entry of an order extending the deadline by which the Debtors must file their schedules and Statement of Financial Affairs ("SOFA") by fourteen (14) days.

### **BACKGROUND AND FACTS**

1. This case was commenced by the Debtors filing a voluntary petition under Chapter 7 of the United States Bankruptcy Code on March 24, 2014 ("Petition Date").

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- 2. The deadline for the Debtors to file their remaining schedules and the SOFA was April 7, 2014.
- **3.** Mr. Lorrenz was hospitalized on Saturday, April 5, 2014, and was expected to remain hospitalized until April 10, 2014. He did not have the ability to review and sign the schedules and SOFA until he was released from the hospital.
- 4. On April 7, 2014, the Debtors filed an Ex Parte Motion for Order Extending Time to File Schedules and Statement of Financial Affairs (docket #10). The Order was signed on April 9, 2014 (docket #12), and the deadline to file schedules and statements was extended to April 21, 2014.
- 5. The Debtor, Kenneth Lorenz, started showing symptoms of myasthenia gravis shortly before his bankruptcy case was filed, and was official diagnosed with the disease shortly after his case was filed. Since being released from the hospital, Mr. Lorenz has not felt well enough to provide the information needed to complete the schedules and statements, or provide the documents required under Rule 4002.
- 6. The Debtors' attorney has informed the assigned trustee on this case, Edmund Wood, of Mr. Lorenz's circumstance, and Mr. Wood has agreed to continue the 341 Meeting of Creditors to May 15<sup>th</sup> and to extend the deadline for objections to discharge. A stipulation extending the objection deadline will be filed separately.

## **RELIEF REQUESTED**

The Debtors request that the Court enter an order extending the deadline for filing the remaining schedules and SOFA by fourteen (14) days to May 5, 2014.

### **LEGAL AUTHORITY**

Pursuant to 11 U.S.C. § 521(i)(3), a debtor may, within 45 days of the date of the filing of the voluntary petition, request an extension of time for filing the remaining schedules and statements required under 11 U.S.C. § 521 (a)(1). Under Fed. R. Bankr. P. 1007(a)(5), an extension of time for filing the required statements and schedules may be granted after a motion for cause shown has been filed and notice of motion has been provided to the United States Trustee and any Trustee appointed under 11 U.S.C. § 701.

#### CONCLUSION

WHEREFORE, the Debtors request that the Court enter an order pursuant to 11 U.S.C. § 521(i)(3) and Fed. R. Bankr. P. 1007(a)(5) extending the deadline to file the remaining schedules and SOFA by fourteen (14) days from April 21, 2014 to May 5, 2014.

DATED this 21st day of April 2014.

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HIGHPOINT LAW GROUP PLLC

By <u>/s/ Jeffrey L. Smoot</u> Jeffrey L. Smoot, WSBA #39335 Attorneys for Debtor

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